BOMBAY ACT No. I OF 1863.

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BOMBAY ACT No. I OF 1863.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 2nd February, 1863.*)

An Act for the registry of vessels and levy of pilotage-fees on the river Indus.

Preamble.—

WHEREAS it is expedient to provide for the registry of vessels plying on the river Indus and its tidal channels within the Province of Sindh, and for the establishment of competent pilots, and for the levying of fees in respect of the same; [a] It is enacted as follows :—

Vessels to be registered and marked with number, burthen and indi-

1. Every vessel plying on the river Indus and its tidal channels within the Province of Sindh shall be registered by an officer appointed for the purpose, who shall be called the Registrar of boats, and every vessel so registered shall

[a] Words repealed by Act XII of 1873 are omitted.

cation of place of registry.

be marked or branded with a number, the registered burthen and a letter or letters indicating the place of registry.

Name, number, burthen, etc., to be registered.

2. The name and number and burthen of every vessel plying as aforesaid, and the name of the owner thereof, shall be registered in a book kept for that purpose by the Registrar of boats; and whenever any change shall take place in the burthen of such vessel plying as aforesaid, or in the name or names of the owner thereof, such vessel shall be again registered.

Owner to apply for certificate of registry. Renewal of lost certificate.

3. The owner of every vessel plying as aforesaid shall apply to the Registrar of boats and obtain from him a certificate of registry as aforesaid; and, in the case of any certificate being lost or destroyed, a renewed certificate may be obtained in the same manner, and on the payment of the fees hereinafter mentioned.

Fees for registration.

4. The owner of every vessel registered as aforesaid shall annually or otherwise pay such fees as the Governor in Council may, from time to time, direct by notification in the Government Gazette.

Production of certificate of registration.

5. The owner or person in charge of every vessel plying as aforesaid shall produce, when required by any public officer, the certificate of registry of such vessel.

Penalty for infringement.

6. In case any vessel plying as aforesaid shall not be registered, marked or branded, in all respects as hereinbefore directed, or

in case such vessel shall not be furnished with a proper certificate of registry, or

in case the owner or person in charge of such vessel shall not produce such certificate when required as aforesaid,

the owner or person in charge of such vessel shall, on conviction thereof before a Magistrate, [a] be liable to a fine not exceeding ten times the amount of the fees payable annually in respect of the registry of such vessel, which fine, if not paid, may be recovered by sale of such vessel, her furniture, ammunition, tackle and apparel.

Fees and fines aforesaid how applied.

7. The sums realized from the fees and fines aforesaid shall be expended in removing obstructions from the channels of the river Indus, and in other ways improving the navigation of that river.

Establishment of pilots and pilot-boats to be maintained.

8. There shall be maintained such establishment of pilots and pilot-boats, near the mouths of the river Indus, as the Commissioner in Sindh may, from time to time, direct.

Fees for vessels piloted.

9. The person in charge of a vessel passing through any of the channels at the mouths of the river Indus shall pay to the officer duly authorized by the

[a] Words repealed by Bom. Act III of 1886 are omitted.

Registrar of boats, such fee as the Governor in Council may, from time to time, direct by notification in the Government Gazette, and in consideration of such payment shall receive the services of a pilot.

Establishment at what places to be available.

10. The establishment of pilots and pilot-boats shall, when necessary, be available at such place or places on the tidal channels between the port of Gizri and the river Indus as the Commissioner in Sindh may, from time to time, direct.

Fees for vessels piloted through channels.

11. The person in charge of a vessel passing through any of the tidal channels aforesaid shall pay to the officer duly authorized by the Registrar of boats, such fee as may, from time to time, be fixed under the provisions of section 9 [a], and in consideration of such payment shall receive the services of pilots.

Penalty for non-payment of fees.

12. In case the person in charge of such vessel as aforesaid shall refuse or neglect to pay the fee payable in respect of the pilotage of such vessels, such person shall, on conviction thereof before a Magistrate, [a] be liable to a fine not exceeding ten times the amount of the said fee ; and such fine, if not paid, may be recovered by sale of such vessel, her furniture, ammunition, tackle and apparel.

Expenditure of fees and fines realised.

13. The sums realized from fees for pilotage and from fines for non-payment thereof shall be applied, under the orders of the Commissioner in Sindh, towards the maintenance of an establishment of pilots and pilot-boats, the erection and maintenance of beacons, and generally as may best conduce to the safe passage of vessels through the mouths and tidal channels of the river Indus.

Account to be kept of moneys received and expended.

14. An account shall be kept under the orders of the Commissioner in Sindh of all sums of money received and expended under the provisions of this Act; and a statement of the same shall be published every year in the Government Gazette.

Commissioner in Sindh to appoint and suspend persons and to make necessary rules.

15. It shall be lawful for the Commissioner in Sindh, with the sanction of the Governor in Council, from time to time, to appoint such person or persons, and to suspend and remove the same, and to make such rules as may be necessary for carrying out the provisions of this Act: Provided that all such rules shall be notified in the Government Gazette.

16. [*Indemnity.*] *Repealed by Act XII of 1873.*

Construction.

17. A barge or flat towed by a steamer, and plying in no other manner, shall not for the purposes of this Act be considered a vessel.

18. [*Interpretation.*] *Repealed by Bombay Act III of 1886.*

19. [*Commencement.*] *Repealed by Act XII of 1873.*

[a] Words repealed by Bom. Act III of 1886 are omitted.

BOMBAY ACT No. II OF 1863.

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BOMBAY ACT No. II OF 1863 [a].

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 9th April, 1863.*)

An Act to facilitate the adjustment of unsettled claims to exemption from the payment of Government land-revenue, and to regulate the succession to, and transfer of, lands wholly or partially exempt from the payment of such revenue in those parts of the Bombay Presidency which are subject to the operation of Act XI of 1852 [b] of the Legislative Council of India.

Preamble. WHEREAS it has been deemed expedient to provide for the final adjustment, summarily, of unsettled claims to exemption from the payment of land-revenue, and to fix the conditions which shall secure, in certain cases, the recognition of titles to such exemption with respect to succession and transfer in those districts of the Bombay Presidency to which the operation of Act XI of 1852 [b] of the Legislative Council of India extends; It is hereby enacted as follows:—

Power to authorize and guarantee

1. *Clause 1st.*—When the holders of lands in any of the said districts (except as is excepted in clause second of this section), held either wholly or partially

[a] As to the application of Bom. Act II of 1863, see Bom. Act V of 1879, s. 127, *infra*, and, where that Act is not in force, see Bom. Act IV of 1868.

[b] Printed in Vol. I of this Code, p. 60.